

**UNITED STATES DISTRICT COURT****Northern District of California**

Francl,

08-01315 JF

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

v.

PricewaterhouseCoopers,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

It is the responsibility of counsel to schedule an ADR Phone Conference, if  
required, to occur before the Case Management Conference.

Dated: June 25, 2008

RICHARD W. WIEKING  
Clerk

by: Timothy J. Smagacz



---

ADR Administrative Assistant  
415-522-4205  
[Tim\\_Smagacz@cand.uscourts.gov](mailto:Tim_Smagacz@cand.uscourts.gov)

## PROOF OF SERVICE

Case Name: Franci v. PricewaterhouseCoopers

Case Number: 08-01315 JF

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On June 25, 2008, I served a true and correct copy of:

### **Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Scott E. Poynter  
Emerson Poynter LLP  
The Museum Center  
500 President Clinton Ave., Ste 305  
Little Rock, AR 72201  
scott@emersonfirm.com

Christopher D. Jennings  
Emerson Poynter LLP - Little Rock  
The Museum Center  
500 President Clinton Avenue  
Suite 305  
Little Rock, AR 72201

John G. Emerson Jr.  
Emerson Poynter LLP  
500 President Clinton Avenue  
Suite 305  
Little Rock, AR 72201  
jemerson@emersonpoynter.com

Brian P Murray  
Murray, Frank & Sailer LLP  
275 Madison Avenue, 8th Floor  
New York, NY 10016  
bmurray@murrayfrank.com

Brooke A. Grossman  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, NY 10017  
brooke.grossman@dpw.com

James H.R. Windels  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, NY 10017  
james.windels@dpw.com

Rambus Inc  
,

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 25, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



---

ADR Administrative Assistant  
415-522-4205  
Tim\_Smagacz@cand.uscourts.gov